

ENTERED

October 13, 2016

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

OSCAR ALBERTO ESCALANTE,
Plaintiff,

V.

UNITED STATES OF AMERICA,
Defendants.

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CIVIL ACTION NO. B-15-099

ORDER

On September 9, 2016, the United States Magistrate Judge filed a Report and Recommendation [Doc. No. 32]. No objections have been lodged by either side and the time for doing so has expired.

Having reviewed all of the pleadings and the Report and Recommendation for plain error and having found none, it is the opinion of the Court that the Magistrate Judge's Report and Recommendation is hereby adopted. Therefore, Oscar Alberto Escalante's Motion to Vacate, Set Aside or Correct Sentence pursuant to 28 U.S.C. § 2255 [Doc. No. 1] is denied, and the issuance of a Certificate of Appealability is denied.

Signed this 13th day of October, 2016.



Andrew S. Hanen
United States District Judge